

PROB 12B
(7/93)

United States District Court
for
District of New Jersey
Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: William S. Smith

Cr.: 02-CR-712-01
PACTS Number: 38981

Name of Sentencing Judicial Officer: Dennis M. Cavanaugh, USDJ

Date of Original Sentence: 01/10/06

Original Offense: Distribution and Possession with Intent to Distribute More Than 5 Grams of Cocaine Base

Original Sentence: 60 months imprisonment; 4 years supervised release; \$1,000 fine; \$100 special assessment

Type of Supervision: Supervised Release

Date Supervision Commenced: 08/04/09

PETITIONING THE COURT

- ☐ To extend the term of supervision for Years, for a total term of Years.
☒ To modify the conditions of supervision as follows. The addition of the following special condition(s):

The defendant is to be confined to his residence for a period of 4 months commencing at the direction of the U.S. Probation Office. The defendant shall be required to be at this residence at all times except for approved absences for gainful employment, community service, religious services, medical care, educational or training programs and at other such times as may be specifically authorized by the U.S. Probation Office. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures. The defendant shall permit the probation officer access to the residence at all times and maintain a telephone at the residence without any custom services or portable, cordless equipment. The defendant shall comply with any other specific conditions of home confinement as the probation officer requires. The defendant shall pay the costs of electronic monitoring, specifically \$3.18 per day.

CAUSE

In correspondence dated March 2, 2010, we notified Your Honor that Smith was maintaining regular telephonic contact with several federal inmates including John Davis, Hakiem McCombs, Fontaine Brown, and Hasan Johnson. Bureau of Prisons records indicate Smith is listed on the inmates' telephone list as a "friend." The records also indicate that he accepted forty calls from them between August 29, 2009, and February 19, 2010. This is a violation of the standard condition of supervision stating, "The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer."

Respectfully submitted,

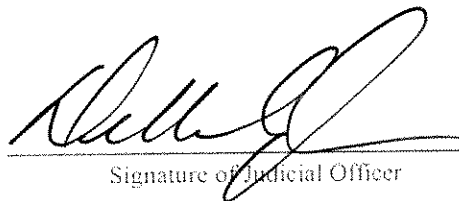


By: Denise Morales
U.S. Probation Officer
Date: 04/08/10

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THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
- ☐ The Extension of Supervision as Noted Above
- ☐ No Action
- ☐ Other


Signature of Judicial Officer

4/15/10
Date

Dennis M. Cavanaugh
U.S. District Judge